

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Barkley Gardner

Case No: 4:95-CR-41-8H

USM No: 16107-056

Date of Original Judgment: March 11, 1997

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

Laura Wasco

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(1)(B)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(1)(B) for a modification of an imposed term of imprisonment to the extent otherwise expressly permitted by statute and as provided by Section 404 of the First Step Act of 2018, and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of life months is reduced to 240 months on Count 3, concurrent .

(Complete Parts I and II of Page 2 when motion is granted)

with the life terms imposed on Counts 1, 2, and 5-7 and the 120-month concurrent term imposed on Count 4, producing a total term of life.

The term of supervised release on Count 3 is reduced to 3 years, concurrent with the 5-year terms imposed on each of Counts 1, 2, and 5-7 and the 2-year term imposed on Count 4.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

Except as otherwise provided, all provisions of the judgment(s) dated March 11, 1997, shall remain in effect. **IT IS SO ORDERED.**

Order Date: 12/15/20



Judge's signature

Effective Date: (if different from order date)

Malcolm J. Howard Senior U.S. District Judge
Printed name and title